

Remarks/Arguments

Claims 1-13 and 15-25 are pending and under consideration in this application.

Double Patenting

Claims 1-13 and 15-25 are rejected on the ground of nonstatutory obviousness-type double patenting as allegedly being unpatentable over claims 1-12 of U.S. Patent No. 6,180,367 and over claims 1-20 of U.S. Patent No. 6,258,560. According to the rejection, although the conflicting claims are not identical “they are not patentably distinct from each other.”

In view of the attached Terminal Disclaimer, the entry and consideration of which is requested, the Examiner is respectfully requested to reconsider and withdraw the present rejection.

All claims pending in this application are believed to be in *prima facie* condition for allowance, and an early action to that effect is respectfully solicited.

The Commissioner is authorized to charge any fees, including any fees for extension of time, or credit overpayment to **Deposit Account No. 50-2387** (Attorney Docket No. **GNE-0128 (24126.076)**).

Respectfully submitted,

Date: June 9, 2010

By Electronic Signature: GINGER R. DREGER
Ginger R. Dreger, Reg. No. 33,055

ARNOLD & PORTER LLP
555 Twelfth Street, NW
Washington, D.C. 20004-1206
Telephone: +1 415.356.3000
Facsimile: +1 415.356.3099